

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| In re Terrorist Attacks on September 11, 2001 | 03 MDL 1570 (GBD) (SN) ECF Case |
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This document relates to: *Estate of John P. O'Neill, Sr., et al. v. The Republic of Iraq, et al.*, 04-cv-1706 (GBD)(SN)

**[PROPOSED] ORDER GRANTING MOTION TO ADD PARTIES AGAINST THE
TALIBAN**

Upon consideration of the Motion to Add Parties Against the Taliban, the Memorandum of Law, and Declaration of Jerry S. Goldman, Esq. with attached exhibits filed in support thereof, and the entire record herein, the Court finds:

1. Additional Plaintiffs listed in Appendix 1 (“Additional Plaintiffs”) have satisfied the requirements of Federal Rules of Civil Procedure 15, 16, 21, and 24 to be added as parties to the above-referenced case against the Taliban;

2. Additional Plaintiffs’ claims are not futile, will not unduly delay these proceedings or prejudice the Taliban and were not filed in bad faith or with a dilatory motive;

3. Additional Plaintiffs’ claims relate back to the filing date of the original complaint in the above-referenced action;

THEREFORE, IT IS HEREBY

ORDERED that the underlying complaint is deemed amended to add Additional Plaintiffs as parties against the Taliban; and it is further

ORDERED that the amendment effected through this Order supplements by incorporation into, but does not displace, the underlying complaint; and it is further

ORDERED, in the alternative to amendment, that Additional Plaintiffs are added as plaintiffs to the above-referenced case against the Taliban through Rule 24 intervention; and it is further

ORDERED that prior service, orders, and judgments entered in the case remain in effect as to all parties; and it is further

ORDERED that all parties, will be bound by all prior rulings made in this case, including the Court's prior order on service by publication, ECF Nos. 445, 488; and it is further

ORDERED that Case Management Order #2, ECF No. 247, ¶ 12 applies to Additional Plaintiffs such that re-service of the Taliban is not required; and it is further

ORDERED that if any individuals have retained Anderson Kill P.C. between the filing of the Motion to Add Parties and one week following the date of this Order, that such individuals may be added to the Amended Complaint or Intervenor Complaint to be filed without further order of the Court and that this Order shall otherwise apply to their claims against the Taliban; and it is further

ORDERED that Additional Plaintiffs shall file the Amended Complaint or, in the alternative, Intervenor Complaint as a stand-alone document within one week of this Order.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 7654.

Dated: New York, New York
_____, 2022

SO ORDERED:

HON. GEORGE B. DANIELS
UNITED STATES DISTRICT COURT JUDGE